



General Assembly

February Session, 2012

***Raised Bill No. 5255***

LCO No. 1252

\*01252\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

***AN ACT CONCERNING CAMPAIGN FINANCE FILINGS AND MAKING TECHNICAL AND CONFORMING CHANGES TO CAMPAIGN FINANCE LAW.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 9-601b of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (b) The term "expenditure" does not mean:

5 (1) A loan of money, made in the ordinary course of business, by a  
6 state or national bank;

7 (2) A communication made by any corporation, organization or  
8 association to its members, owners, stockholders, executive or  
9 administrative personnel, or their families;

10 (3) Nonpartisan voter registration and get-out-the-vote campaigns  
11 by any corporation, organization or association aimed at its members,  
12 owners, stockholders, executive or administrative personnel, or their

13 families;

14 (4) Uncompensated services provided by individuals volunteering  
15 their time;

16 (5) Any news story, commentary or editorial distributed through  
17 the facilities of any broadcasting station, newspaper, magazine or  
18 other periodical, unless such facilities are owned or controlled by any  
19 political party, committee or candidate;

20 (6) The use of real or personal property, and the cost of invitations,  
21 food or beverages, voluntarily provided by an individual to a  
22 candidate, [or on behalf of a state central or town] including a  
23 nonparticipating or participating candidate under the Citizens'  
24 Election Program, party, political or slate committee, in rendering  
25 voluntary personal services [for candidate or party-related activities] at  
26 the individual's [residence] residential premises or a community room  
27 in the individual's residence facility, to the extent that the cumulative  
28 value of the invitations, food or beverages provided for any single  
29 event by [the] an individual on behalf of any [single] candidate [for  
30 nomination or election] or committee does not exceed [two] four  
31 hundred dollars with respect to any [single] calendar year or primary  
32 or general election, as the case may be, and [on behalf of all state  
33 central and town committees] does not exceed eight hundred dollars  
34 for any such event hosted by two or more individuals, provided at  
35 least one such individual owns or resides at the residential premises,  
36 and further provided the cumulative value of the invitations, food or  
37 beverages provided by an individual on behalf of any such candidate  
38 or committee does not exceed [four] eight hundred dollars in a  
39 calendar year or single election, as the case may be;

40 (7) Any unreimbursed payment for travel expenses made by an  
41 individual who, on his own behalf, volunteers his personal services to  
42 any single candidate to the extent that the cumulative value does not  
43 exceed two hundred dollars with respect to any single election, and on  
44 behalf of all state or town committees does not exceed four hundred

45 dollars in a calendar year; or

46 (8) An organization expenditure by a party committee, legislative  
47 caucus committee or legislative leadership committee.

48 Sec. 2. Subsection (c) of section 9-605 of the general statutes is  
49 repealed and the following is substituted in lieu thereof (*Effective from*  
50 *passage*):

51 (c) The [chairman] campaign treasurer of each political committee  
52 shall report any addition to or change in information previously  
53 submitted in a statement of organization to the proper authority not  
54 later than ten days after the addition or change, provided if an officer  
55 of the committee has changed, such amended statement shall be filed  
56 by the chairman of the committee.

57 Sec. 3. Subsection (a) of section 9-608 of the 2012 supplement to the  
58 general statutes is repealed and the following is substituted in lieu  
59 thereof (*Effective from passage*):

60 (a) (1) Each treasurer of a committee, other than a state central  
61 committee, shall file a statement, sworn under penalty of false  
62 statement with the proper authority in accordance with the provisions  
63 of section 9-603, (A) on the tenth calendar day in the months of  
64 January, April, July and October, provided, if such tenth calendar day  
65 is a Saturday, Sunday or legal holiday, the statement shall be filed on  
66 the next business day, except that in the case of a candidate or  
67 exploratory committee established for an office to be elected at a  
68 special election, such statements shall not be required, (B) on the  
69 seventh day preceding each regular state election, except that (i) in the  
70 case of a candidate or exploratory committee established for an office  
71 to be elected at a municipal election, the statement shall be filed on the  
72 seventh day preceding a regular municipal election in lieu of such  
73 date, except if the candidate's name is not eligible to appear on the  
74 ballot, in which case such statement shall not be required, (ii) in the  
75 case of a town committee, the statement shall be filed on the seventh

76 day preceding each municipal election in addition to such date, [and]  
 77 (iii) in the case of a candidate committee in a state election that is  
 78 required to file any supplemental campaign finance statements  
 79 pursuant to subdivisions (1) and (2) of subsection (a) of section 9-712,  
 80 as amended by this act, such supplemental campaign finance  
 81 statements shall satisfy the filing requirement under this subdivision,  
 82 and (iv) in the case of a candidate committee established by a  
 83 candidate whose name is not eligible to appear on the ballot, such  
 84 statement shall not be required, and (C) if the committee has made or  
 85 received a contribution or expenditure in connection with any other  
 86 election, a primary or a referendum, on the seventh day preceding the  
 87 election, primary or referendum, except that in the case of a candidate  
 88 committee in a primary that is required to file statements pursuant to  
 89 subdivisions (1) and (2) of subsection (a) of section 9-712, as amended  
 90 by this act, such statements shall satisfy the filing requirement under  
 91 this subdivision. The statement shall be complete as of eleven fifty-  
 92 nine o'clock p.m. of the last day of the month preceding the month in  
 93 which the statement is required to be filed, except that for the  
 94 statement required to be filed on the seventh day preceding the  
 95 election, primary or referendum, the statement shall be complete as of  
 96 eleven fifty-nine o'clock p.m. of the second day immediately preceding  
 97 the required filing day. The statement shall cover a period to begin  
 98 with the first day not included in the last filed statement. In the case of  
 99 a candidate committee, the statement required to be filed in January  
 100 shall be in lieu of the statement formerly required to be filed within  
 101 forty-five days following an election.

102 (2) Each campaign treasurer of a candidate committee [, within]  
 103 established by a candidate in a primary, not later than thirty days  
 104 following [any] such primary, and each campaign treasurer of a  
 105 political committee formed for a single primary, election or  
 106 referendum, [within] not later than forty-five days after any election or  
 107 referendum not held in November, shall file statements in the same  
 108 manner as is required of them under subdivision (1) of this subsection.  
 109 A candidate committee established by a candidate who is unsuccessful

110 in the primary shall not be required to file any statements required  
111 under subdivision (1) of this subsection following the primary unless  
112 the candidate is eligible to appear on the general election ballot. If the  
113 campaign treasurer of a candidate committee established by a  
114 candidate, who is unsuccessful in the primary or has terminated his  
115 candidacy prior to the primary, distributes all surplus funds within  
116 thirty days following the scheduled primary and discloses the  
117 distribution on the postprimary statement, such campaign treasurer  
118 shall not be required to file any subsequent statement unless the  
119 committee has a deficit, in which case he shall file any required  
120 statements in accordance with the provisions of subdivision (3) of  
121 subsection (e) of this section.

122 (3) In the case of state central committees, (A) on the tenth calendar  
123 day in the months of January, April and July, provided, if such tenth  
124 calendar day is a Saturday, Sunday or legal holiday, on the next  
125 business day, [and] (B) on the twelfth day preceding any regular  
126 election, and (C) if the committee has made or received a contribution  
127 or expenditure in connection with any other election, primary or  
128 referendum, on the twelfth day preceding the election, primary or  
129 referendum, the campaign treasurer of each such committee shall file  
130 with the proper authority, a statement, sworn under penalty of false  
131 statement, complete as of the last day of the month immediately  
132 preceding the month in which such statement is to be filed in the case  
133 of statements required to be filed in January, April and July, and  
134 complete as of the nineteenth day preceding an election, primary or  
135 referendum in the case of the statement required to be filed on the  
136 twelfth day preceding an election, primary or referendum, and in each  
137 case covering a period to begin with the first day not included in the  
138 last filed statement.

139 Sec. 4. Subdivision (1) of subsection (e) of section 9-608 of the 2012  
140 supplement to the general statutes is repealed and the following is  
141 substituted in lieu thereof (*Effective from passage*):

142 (e) (1) Notwithstanding any provisions of this chapter, in the event  
143 of a surplus the campaign treasurer of a candidate committee or of a  
144 political committee, other than a political committee formed for  
145 ongoing political activities or an exploratory committee, shall  
146 distribute or expend such surplus not later than ninety days, or for the  
147 purposes of subparagraph (H) of this subdivision, one hundred twenty  
148 days after a primary which results in the defeat of the candidate, an  
149 election or referendum not held in November or by March thirty-first  
150 following an election or referendum held in November, or for the  
151 purposes of subparagraph (H) of this subdivision, June thirtieth  
152 following an election or referendum held in November, in the  
153 following manner:

154 (A) Such committees may distribute their surplus to a party  
155 committee, or a political committee organized for ongoing political  
156 activities, return such surplus to all contributors to the committee on a  
157 prorated basis of contribution, distribute all or any part of such surplus  
158 to the Citizens' Election Fund established in section 9-701 or distribute  
159 such surplus to any charitable organization which is a tax-exempt  
160 organization under Section 501(c)(3) of the Internal Revenue Code of  
161 1986, or any subsequent corresponding internal revenue code of the  
162 United States, as from time to time amended, provided (i) no candidate  
163 committee may distribute such surplus to a committee which has been  
164 established to finance future political campaigns of the candidate, (ii) a  
165 candidate committee which received moneys from the Citizens'  
166 Election Fund shall distribute such surplus to such fund, and (iii) a  
167 candidate committee for a nonparticipating candidate, as described in  
168 subsection (b) of section 9-703, may only distribute any such surplus to  
169 the Citizens' Election Fund or to a charitable organization;

170 (B) Each such political committee established by an organization  
171 which received its funds from the organization's treasury shall return  
172 its surplus to its sponsoring organization;

173 (C) (i) Each political committee formed solely to aid or promote the

174 success or defeat of any referendum question, which does not receive  
175 contributions from a business entity or an organization, shall distribute  
176 its surplus to a party committee, to a political committee organized for  
177 ongoing political activities, to a national committee of a political party,  
178 to all contributors to the committee on a prorated basis of contribution,  
179 to state or municipal governments or agencies or to any organization  
180 which is a tax-exempt organization under Section 501(c)(3) of the  
181 Internal Revenue Code of 1986, or any subsequent corresponding  
182 internal revenue code of the United States, as from time to time  
183 amended. (ii) Each political committee formed solely to aid or promote  
184 the success or defeat of any referendum question, which receives  
185 contributions from a business entity or an organization, shall distribute  
186 its surplus to all contributors to the committee on a prorated basis of  
187 contribution, to state or municipal governments or agencies, or to any  
188 organization which is tax-exempt under said provisions of the Internal  
189 Revenue Code. Notwithstanding the provisions of this subsection, a  
190 committee formed for a single referendum shall not be required to  
191 expend its surplus not later than ninety days after the referendum and  
192 may continue in existence if a substantially similar referendum  
193 question on the same issue will be submitted to the electorate within  
194 six months after the first referendum. If two or more substantially  
195 similar referenda on the same issue are submitted to the electorate,  
196 each no more than six months apart, the committee shall expend such  
197 surplus within ninety days following the date of the last such  
198 referendum;

199 (D) The campaign treasurer of the candidate committee of a  
200 candidate who is elected to office may, upon the authorization of such  
201 candidate, expend surplus campaign funds to pay for the cost of  
202 clerical, secretarial or other office expenses necessarily incurred by  
203 such candidate in preparation for taking office; except such surplus  
204 shall not be distributed for the personal benefit of any individual or to  
205 any organization;

206 (E) The campaign treasurer of a candidate committee, or of a

207 political committee, other than a political committee formed for  
208 ongoing political activities or an exploratory committee, shall, prior to  
209 the dissolution of such committee, either (i) distribute any equipment  
210 purchased, including, but not limited to, computer equipment, to any  
211 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell  
212 any equipment purchased, including but not limited to computer  
213 equipment, to any person for fair market value and then distribute the  
214 proceeds of such sale to any recipient as set forth in said subparagraph  
215 (A);

216 (F) The campaign treasurer of a qualified candidate committee may,  
217 following an election or unsuccessful primary, provide a post-primary  
218 thank you meal or a post-election thank you meal for committee  
219 workers, provided such meal (i) occurs not later than fourteen days  
220 after the applicable election or primary day, and (ii) the cost for such  
221 meal does not exceed thirty dollars per worker;

222 (G) The campaign treasurer of a qualified candidate committee may,  
223 following an election or unsuccessful primary, exclusive of any  
224 payments that have been rendered pursuant to a written service  
225 agreement, make payment to a campaign treasurer for services  
226 rendered to the candidate committee, provided such payment does not  
227 exceed one thousand dollars; and

228 (H) The campaign treasurer of a candidate committee may,  
229 following an election or unsuccessful primary, utilize funds for the  
230 purpose of complying with any audit conducted by the State Elections  
231 Enforcement Commission pursuant to subdivision (5) of subsection (a)  
232 of section 9-7b.

233 Sec. 5. Subdivisions (1) and (2) of subsection (f) of section 9-610 of  
234 the 2012 supplement to the general statutes are repealed and the  
235 following is substituted in lieu thereof (*Effective from passage*):

236 (f) (1) A political committee established by two or more individuals  
237 under subparagraph (B) of subdivision (3) of section 9-601, other than



238 a committee established solely for the purpose of aiding or promoting  
239 any candidate or candidates for municipal office or the success or  
240 defeat of a referendum question, shall be subject to the prohibition on  
241 acceptance of lobbyist contributions under subsection (e) of this section  
242 unless the campaign treasurer of the committee has filed a registration  
243 statement as described in subsection (b) of section 9-605 with the State  
244 Elections Enforcement Commission, on or before November 15, 2012,  
245 for all such political committees in existence on such date, or, if the  
246 committee is not in existence on such date, not later than ten days after  
247 the organization of the committee pursuant to subsection (a) of section  
248 9-605, and on or before November fifteenth of each even-numbered  
249 year thereafter. Such statements shall be filed even if there are no  
250 changes, additions or deletions to the registration statement previously  
251 filed with the commission. Notwithstanding the provisions of this  
252 subdivision, if an officer of the committee has changed since the last  
253 registration statement filed with the commission, such registration  
254 statement shall be filed by the chairperson of the committee.

255 (2) A political committee established for ongoing political activities  
256 and required pursuant to subsection (a) of section 9-603 to file  
257 statements with the commission shall be subject to the prohibition on  
258 making contributions under subsection (e) of this section unless the  
259 campaign treasurer of the committee has filed a registration statement  
260 as described in subsection (b) of section 9-605 with the commission, on  
261 forms prescribed by the commission, on or before November 15, 2012,  
262 for all such political committees in existence on such date, or, if the  
263 committee is not in existence on such date, not later than ten days after  
264 the organization of the committee pursuant to subsection (a) of section  
265 9-605, and on or before November fifteenth of each even-numbered  
266 year thereafter. Such statements shall be filed even if there are no  
267 changes, additions or deletions to the registration statement previously  
268 filed with the commission. Notwithstanding the provisions of this  
269 subdivision, if an officer of the committee has changed since the last  
270 registration statement filed with the commission, such registration  
271 statement shall be filed by the chairperson of the committee.

272       Sec. 6. Section 9-675 of the general statutes is repealed and the  
273       following is substituted in lieu thereof (*Effective from passage*):

274       (a) The State Elections Enforcement Commission shall (1) create a  
275       [software] web-based program [or programs] for the preparation and  
276       electronic submission of financial disclosure statements required by  
277       section 9-608, as amended by this act, and (2) prescribe the standard  
278       reporting format and specifications for other software programs  
279       created by vendors for such purpose. No software program created by  
280       a vendor may be used for the electronic submission of such financial  
281       disclosure statements, until the commission determines that the  
282       program provides for the standard reporting format, and complies  
283       with the specifications, which are prescribed under subdivision (2) of  
284       this subsection for vendor software programs. The commission shall  
285       provide training in the use of the [software] web-based program [or  
286       programs] created by the commission.

287       [(b) The campaign treasurer of the candidate committee for each  
288       candidate for nomination or election to the office of Governor,  
289       Lieutenant Governor, Attorney General, State Comptroller, State  
290       Treasurer or Secretary of the State who raises or spends two hundred  
291       fifty thousand dollars or more during an election campaign shall file in  
292       electronic form all financial disclosure statements required by section  
293       9-608 by either transmitting disks, tapes or other electronic storage  
294       media containing the contents of such statements to the State Elections  
295       Enforcement Commission or transmitting the statements on-line to  
296       said commission. Each such campaign treasurer shall use either (1) a  
297       software program created by the commission under subdivision (1) of  
298       subsection (a) of this section, for all such statements, or (2) another  
299       software program which provides for the standard reporting format,  
300       and complies with the specifications, which are prescribed by the  
301       commission under subdivision (2) of subsection (a) of this section, for  
302       all such statements. The commission shall accept any statement that  
303       uses any such software program.]

304     (b) On and after April 1, 2012, the campaign treasurer of the  
305     candidate committee or exploratory committee for each candidate for  
306     nomination or election to the office of Governor, Lieutenant Governor,  
307     Secretary of the State, Treasurer, Comptroller, Attorney General, state  
308     senator or state representative that raises or spends four thousand five  
309     hundred dollars or more shall file all financial disclosure statements  
310     required by chapters 155 to 157, inclusive, by electronic submission  
311     pursuant to subsection (a) of this section. Once any such candidate  
312     committee has raised or spent [two hundred fifty thousand] four  
313     thousand five hundred dollars or more during an election campaign,  
314     all previously filed statements required by [said] section 9-608, as  
315     amended by this act, which were not filed in electronic form shall be  
316     refiled in such form [, using such a software program,] not later than  
317     the date on which the campaign treasurer of the committee is required  
318     to file the next regular statement for the committee. [under said section  
319     9-608.]

320     (c) (1) The campaign treasurer of the candidate committee for any  
321     other candidate, as defined in section 9-601, who is required to file  
322     [the] financial disclosure statements required by [section 9-608]  
323     chapters 155 to 157, inclusive, with the commission but that has not  
324     reached the threshold set forth in subsection (b) of this section for  
325     required electronic submission, and (2) the campaign treasurer of any  
326     political committee or party committee, may file [in electronic form]  
327     any financial disclosure statements required by [said section 9-608.  
328     Such filings may be made by either transmitting disks, tapes or other  
329     electronic storage media containing the contents of such statements to  
330     the proper authority under section 9-603 or transmitting the statements  
331     on-line to such proper authority. Each such campaign treasurer shall  
332     use either (A) a software program created by the commission under  
333     subdivision (1) of subsection (a) of this section, for all such statements  
334     filed in electronic form, or (B) another software program which  
335     provides for the standard reporting format, and complies with the  
336     specifications, which are prescribed by the commission under  
337     subdivision (2) of subsection (a) of this section, for all such statements

338 filed in electronic form. The proper authority under section 9-603 shall  
339 accept any statement that uses any such software program] chapters  
340 155 to 157, inclusive, by electronic submission pursuant to subsection  
341 (a) of this section.

342 Sec. 7. Subsection (a) of section 9-712 of the 2012 supplement to the  
343 general statutes is repealed and the following is substituted in lieu  
344 thereof (*Effective upon passage*):

345 (a) (1) The campaign treasurer of each candidate committee in a  
346 primary campaign or a general election campaign in which there is at  
347 least one participating candidate shall file weekly supplemental  
348 campaign finance statements with the commission in accordance with  
349 the provisions of subdivision (2) of this subsection. Such weekly  
350 statements shall be in lieu of the campaign finance statements due  
351 pursuant to subparagraphs (B) and (C) of subdivision (1) of subsection  
352 (a) of section 9-608, as amended by this act.

353 (2) Each such campaign treasurer shall file weekly supplemental  
354 campaign finance statements with the commission pursuant to the  
355 following schedule: (A) In the case of a primary campaign, on the  
356 [next] second Thursday following the date in July on which treasurers  
357 are required to file campaign finance statements pursuant to  
358 subparagraph (A) of subdivision (1) of subsection (a) of section 9-608,  
359 as amended by this act, and each Thursday thereafter up to and  
360 including the Thursday before the day of the primary, and (B) in the  
361 case of a general election campaign, on the [next] second Thursday  
362 following the date in October on which candidates are required to file  
363 campaign finance statements pursuant to subparagraph (A) of  
364 subdivision (1) of subsection (a) of section 9-608, as amended by this  
365 act, and each Thursday thereafter up to and including the Thursday  
366 before the day of the election. The statement shall be complete as of  
367 eleven fifty-nine o'clock p.m. of the second day immediately preceding  
368 the required filing day. The statement shall cover the period beginning  
369 with the first day not included in the last filed statement.

370 (3) Notwithstanding the provisions of subdivisions (1) and (2) of  
 371 this subsection, if a participating candidate committee in a primary  
 372 campaign or a general election campaign in which there is at least one  
 373 participating candidate makes expenditures or incurs an obligation to  
 374 make expenditures that, in the aggregate, exceed one hundred per cent  
 375 of the applicable expenditure limit for the applicable primary or  
 376 general election campaign period, the campaign treasurer of any such  
 377 candidate committee shall file a declaration of excess expenditures  
 378 statement with the commission, pursuant to the following schedule:  
 379 (A) If a candidate committee makes expenditures or incurs an  
 380 obligation to make such expenditures more than twenty days before  
 381 the day of such primary or election, the campaign treasurer of such  
 382 candidate shall file such statement with the commission not later than  
 383 forty-eight hours after making such expenditures or incurring an  
 384 obligation to make such expenditures, and (B) if a candidate committee  
 385 makes such expenditures or incurs an obligation to make such  
 386 expenditures twenty days or less before the day of such primary or  
 387 election, the campaign treasurer of such candidate shall file such  
 388 statement with the commission not later than twenty-four hours after  
 389 making such expenditures or incurring an obligation to make such  
 390 expenditures. The statement shall be complete as of eleven fifty-nine  
 391 o'clock p.m. of the first day immediately preceding the required filing  
 392 day. The statement shall cover a period beginning with the first day  
 393 not included in the last filed statement.

394 (4) Notwithstanding the provisions of this subsection, the  
 395 statements required to be filed pursuant to subdivisions (1) and (2) of  
 396 this subsection shall not be required to be filed by (A) a candidate  
 397 committee of a candidate that is exempt from filing campaign finance  
 398 statements pursuant to subsection (b) of section 9-608 unless or until  
 399 such a candidate committee receives or expends an amount in excess  
 400 of one thousand dollars for purposes of the primary or election for  
 401 which such committee was formed, (B) a candidate committee of a  
 402 candidate that is no longer eligible for a position on the ballot, or [(B)]  
 403 (C) a candidate committee of a participating candidate that is

404 unopposed, except that such candidate committee shall file a  
 405 supplemental statement on the last Thursday before the applicable  
 406 primary or general election. Such statement shall be complete as of  
 407 eleven fifty-nine o'clock p.m. of the second day immediately preceding  
 408 the required filing day. The statement shall cover a period beginning  
 409 with the first day not included in the last filed statement.

410 (5) Each supplemental statement required under subdivision (1), (2)  
 411 or (3) of this subsection for a candidate shall disclose the information  
 412 required under subsection (c) of section 9-608. The commission shall  
 413 adopt regulations, in accordance with the provisions of chapter 54,  
 414 specifying permissible media for the transmission of such statements  
 415 to the commission, which shall include electronic [mail] filing.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-601b(b)
Sec. 2	<i>from passage</i>	9-605(c)
Sec. 3	<i>from passage</i>	9-608(a)
Sec. 4	<i>from passage</i>	9-608(e)(1)
Sec. 5	<i>from passage</i>	9-610(f)(1) and (2)
Sec. 6	<i>from passage</i>	9-675
Sec. 7	<i>upon passage</i>	9-712(a)

**Statement of Purpose:**

To make changes to "expenditure" that conform to changes made to "contribution", to make changes to the filing calendar to improve efficiencies, to lower the threshold for mandatory electronic filing and to make technical changes to the biennial registration process for political committees.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*